

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

DONALD P. KOHN,

Plaintiff,

v.

Case No. 20-11731

FEDERAL BUREAU OF INVESTIGATION,

Defendant.

**OPINION AND ORDER DENYING PLAINTIFF'S MOTION FOR RECONSIDERATION
AND/OR MOTION FOR RELIEF FROM JUDGMENT**

On July 7, 2020, the court entered an opinion and order dismissing Plaintiff Donald Kohn's pro se complaint under 28 U.S.C. § 1915(e)(2). (ECF No. 5.) Thereafter, the court received a motion to amend the complaint and a copy of the amended complaint. (ECF Nos. 6, 7.) After reviewing the motion and the amended complaint, the court denied Plaintiff's motion to amend because neither the motion or the amended complaint contained any information which altered the court's earlier determination that Plaintiff's allegations were the sort of "fantastic or delusional scenarios" the Supreme Court has deemed subject to *sua sponte* dismissal under § 1915(e). (ECF No. 9, PageID.37.) Currently pending before the court is another motion filed by Plaintiff in which he asks the court to reconsider its denial of his motion to amend or, alternatively, to amend the judgment. (ECF No. 10.)

In this motion, Plaintiff generally asserts that he has experienced difficulties accessing information and mailing materials to the court during the COVID-19 pandemic. He expresses concern that the court has not reviewed his amended

complaint, but as explained above the court received his amended complaint and determined that the factual allegations contained therein did not state any cognizable legal claim. Nothing in Plaintiff's most recent filing changes the court's previous determinations that his allegations fail to assert any cognizable legal claims. Thus, the court will deny his motion for reconsideration pursuant to Local Rule 7.1(h) because Plaintiff has not demonstrated a palpable defect by which the court has been misled or that correcting the alleged defect would result in a different disposition of the case. E.D. Mich. LR 7.1(h)(3). To the extent Plaintiff seeks relief from judgment under Federal Rules of Civil Procedure 59 or 60, he has not shown any grounds which justify him to such relief. Fed. R. Civ. P. 59, 60. The court has considered all of Plaintiff's filings and determined that he has failed to articulate any actionable legal claims or theories.

This matter remains closed. If Plaintiff wishes to pursue further litigation, he must initiate a new lawsuit. Accordingly,

IT IS ORDERED that Plaintiff's motion for reconsideration and/or motion for relief from judgment (ECF No. 10) is DENIED.

s/Robert H. Cleland /
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: September 10, 2020

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, September 10, 2020, by electronic and/or ordinary mail.

s/Lisa Wagner /
Case Manager and Deputy Clerk
(810) 292-6522